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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re Application of:

Riccardo CESARINI et al.

Application Serial No.: 10/679,357 ) Group Art Unit: 1733

Filed: October 7, 2003 ) Examiner: Maki, Steven D.

For: HIGH PERFORMANCE TIRE ) Confirmation No.: 3867  
FOR VEHICLES )



**Mail Stop Appeal Brief--Patents**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

**RESPONSE TO NOTICE OF**  
**NON-COMPLIANT APPEAL BRIEF (37 C.F.R. § 41.37)**

In response to the Notice of Non-Compliant Appeal Brief mailed July 11, 2007, the period for response to which extends through August 13, 2007 (August 11, 2007 being a Saturday), Appellants submit a "Revised Summary of Claimed Subject Matter" section of the Appeal Brief filed on June 4, 2007, in accordance with M.P.E.P. § 102.03 B.

Please associate the enclosed "Revised Summary of Claimed Subject Matter" section with the June 4, 2007 Appeal Brief, grant any extensions of time required to enter this response, and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: August 13, 2007

By:   
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**V. Revised Summary Of Claimed Subject Matter**

The claimed invention relates to a high-performance tire for vehicles having a curvature ratio not greater than 0.1, and capable of providing a high torque and reaching high speeds. *See Specification, pg. 1, lines 5-8.* In high performance tires there is a need to ensure an adequate performance of the tire, in spite of the extreme stresses it has to withstand in use. It is difficult to provide a tire having structural and functional features adapted not only to ensure an adequate performance of the tire, but also to maintain substantially constant—*independently of the wear conditions of the tread—performances of the tire in general and, in particular, grip on dry and wet ground, tractivity, side stability and noisiness. See Specification, pg. 3, lines 25-29.*

This problem is solved by the tire of the present invention, which has two shoulder zones (Fig. 2, reference letters F and G) and an equatorial zone (Fig. 2, reference letter E). The tire is further characterized in that there are transversal grooves (Fig. 2, reference numbers 15a-15e) which are circumferentially distributed along the tread in groups alternately extending from shoulder zones of the tread. *See Specification, pg. 18, lines 5-9.* The groups of transversal grooves define a plurality of substantially-continuous tread portions in the equatorial zone. *See Specification, pg. 3, line 30 - pg. 4, line 3.* The substantially-continuous portions are portions of the tread which are not interrupted by grooves. *See Specification, pg. 4, lines 15-17.* The structural stiffness resulting from the mutual fitting of the substantially-continuous axially opposed tread portions, allows these portions to absorb stresses without bending or significant deformation, and all of the thermal-mechanical stresses imparted thereto during the tire rolling. *See Specification, pg. 4, lines 27-30.* Due to the stiffness of the substantially-continuous tread portions, there is drastic reduction in the thermal-mechanical degradation phenomena of the elastomeric matrix of the tread. *See Specification, pg. 4, line 31 - pg. 5, line 1.*

Independent claim 39 is directed to a tire having a tread (Fig. 1, reference number 14) which comprises an equatorial zone (Fig. 2, reference letter E) and two shoulder zones (Fig. 2, reference letters F and G). The tread further has a plurality of transversal grooves (Fig. 2, reference numbers 15a-15e), and the transversal grooves are circumferentially distributed in groups alternately extending from the axially-opposed shoulder zones. *See Specification, pg. 4, lines 4-14; Specification, pg. 18, lines 5-9.* The groups of transversal grooves define a plurality of substantially-continuous tread portions in the equatorial zone. *See Specification, pg. 3, line 30 - pg. 4, line 3.*

Independent claim 58 is similar in scope to claim 39, but is directed to a set of tires containing the treads of claim 39. *See Specification, pg. 13, line 18-pg. 14, line 10.*

Independent claim 111 is directed to having a tread (Fig. 1, reference number 14) which comprises an equatorial zone (Fig. 2, reference letter E) and two shoulder zones (Fig. 2, reference letters F and G). The tread further has a plurality of transversal grooves (Fig. 2, reference numbers 15a-15e), and the transversal grooves are circumferentially distributed in groups alternately extending from the axially-opposed shoulder zones. *See Specification, pg. 4, lines 4-14; Specification, pg. 18, lines 5-9.* The groups of transversal grooves define a plurality of substantially-continuous tread portions in the equatorial zone. *See Specification, pg. 3, line 30 - pg. 4, line 3.* The substantially-continuous tread portions form a structurally stiff grid of elastomeric material portions fitted in with one another. *See Specification, pg. 4, lines 27-30.*

Independent claim 130 is similar in scope to claim 111, but is directed to a set of tires containing the treads of claim 111. *See Specification, pg. 13, line 18 - pg. 14, line 10.*

Independent claim 135 is directed to a having a tread (Fig. 1, reference number 14) which comprises an equatorial zone (Fig. 2, reference letter E) and two shoulder zones (Fig. 2,

reference letters F&G). The tread further has a plurality of transversal grooves (Fig. 2, reference numbers 15a-15e), and the transversal grooves are circumferentially distributed in groups alternately extending from the axially-opposed shoulder zones. *See Specification, pg. 4, lines 4-14; Specification, pg. 18, lines 5-9.* The groups of transversal grooves define a plurality of substantially-continuous tread portions in the equatorial zone. *See Specification, pg. 3, line 30 - pg. 4, line 3.* The substantially-continuous tread portions are provided about an axis such that during tire rolling, stresses imparted to the substantially-continuous tread portions are discharged along the axis. *See Specification, pg. 11, lines 19-22.*

Independent claim 154 is similar in scope to claim 135, but is directed to a set of tires containing the treads of claim 135. *See Specification, pg. 13, line 18-pg. 14, line 10.*